

# Notice of Allowability

Application No.

10/511,209

Examiner

Sam Rizk

Applicant(s)

BENTVELSEN ET AL.

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/24/2006.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



GUY LAMARRE  
PRIMARY EXAMINER

### **DETAILED ACTION**

- Response to the applicant's amendment dated 7/24/2006
- Amended claims 1-11 have been submitted for examination
- Amended claims 1-11 have been allowed

### ***Response to Arguments***

1. Applicant's arguments and amendment of claim 6, see pages (9-14) filed on 7/24/2006, with respect to claim 1 have been fully considered and are persuasive. The rejection of claims 1-5 and 7-11 and the objection to claim 6 has been withdrawn.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

2. The prior Art of record and, in particular Christensen teaches:
  - The method relates to encoding a CD with selected data identifying copy protection techniques. The data can be placed in unused sectors of a CD, in particular in the lead-in area. The Q-channel, where program and timing information resides, will provide the copy protection information to the test equipment.

However, the prior art do not teach, suggest, or otherwise render obvious:

- A method of providing a read-only record carrier on which user data can be recorded at predetermined recordable positions of subcode frames of a subcode channel after mastering of said record carrier, said method comprising the steps of:

- setting the subcode symbol at said predetermined recordable positions to a first predetermined symbol value during mastering;
- calculating, for each subcode frame, error detections data over certain subcode data of said subcode frame including said subcode symbols set to said first predetermined symbol value;
- storing said error detection data at auxiliary data positions in said subcode frame; and
- setting error detection data positions in said subcode frame to a second predetermined symbol value,
- wherein said predetermined recordable positions of said subcode frames are provided for recording of user data to said predetermined recordable positions during writing of data, and said error detection data positions of said subcode frames are provided for recording correct error detection data, calculated after recording said user data to said predetermined recordable positions, to said error detection data positions. Per claim 1.

3. Claims (2-5), 10 and 11 depend from claims 1.
4. Claims 6-9 have similar language as in claim 1.

**Conclusion**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronics Business Center (EBC) at 866-217-9197 (toll-free)


Sam Rizk, MSEE, ABD

Examiner

ART UNIT 2133



8/22/06



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